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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/674,079

10/25/2000

Jerome Meric

11345.027001

1560

22511

7590

06/29/2006

OSHA LIANG L.L.P.  
1221 MCKINNEY STREET  
SUITE 2800  
HOUSTON, TX 77010

EXAMINER

TRAN, HAI V

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/674,079	<b>Applicant(s)</b> MERIC ET AL.	
	<b>Examiner</b> Hai Tran	<b>Art Unit</b> 2623	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 April 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) 1-19,27 and 40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-26,28-39,41-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed 04/11/2006 have been fully considered but they are not persuasive.

Applicant argues "Chee fails to disclose or suggest three distinct buffer sub-area within the graphics memory." Applicant further argues, "Chee shows, at most, two buffer sub-areas in the graphics memory (see, e.g., Figure 20 of Chee which shows a sub-area where the background data (1962) is stored, and the sub-area containing the overlay data). However, Chee fails to show a third buffer sub-area within the graphics memory region."

In response, the Examiner respectfully disagrees with Applicant because Chee explicitly states "Generally, double buffering is used extensively where smooth animation is critical. In this process, an application draws in a 1<sup>st</sup> area of memory while a 2<sup>nd</sup> area of identical dimension acts as a source of the display. When the application completes the drawing process in the 1<sup>st</sup> area of memory, the graphics controller and the application swap memory locations. The application now draws in the 2<sup>nd</sup> area of memory while the 1<sup>st</sup> area of memory acts as the new source of the display", see page 12, lines 56-page 13, lines 1. In view of that, Chee clearly elaborates the double buffering concept at page 15, lines 6-57 and Fig. 24B that have display buffer as 1<sup>st</sup> buffer and working buffer as 2<sup>nd</sup> buffer. As to "3<sup>rd</sup> buffer area", Chee's memory 1960 of Fig. 20 is a "3<sup>rd</sup> buffer area".

Applicant further argues "Chee does not disclose or suggest any time frame for when the video stream 'A' is copied into the working buffer, much less require that this copying occurs just before the working buffer becomes the display buffer.'

In response, the Examiner respectfully disagrees with Applicant because Chee clearly states, "In this process, an application draws in a 1<sup>st</sup> area of memory while a 2<sup>nd</sup> area of identical dimension acts as a source of the display. When the application completes the drawing process in the 1<sup>st</sup> area of memory, the graphics controller and the application swap memory locations. The application now draws in the 2<sup>nd</sup> area of memory while the 1<sup>st</sup> area of memory acts as the new source of the display", see page 12, lines 56-page 13, lines 1. Thus, "completes the drawing process in the 1<sup>st</sup> area of memory" reads on the video stream 'A' is completely copied (completes the drawing process) into the working buffer, just before the swapping process.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 20-26, 28-39, 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chee (EP0802519 A1) in view of Parks (5781687).

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Claim 20, Chee discloses a method of processing video data in a receiver/decoder comprising

Designating a 1<sup>st</sup> buffer sub-area as a display buffer (one of the swapping memory of Fig. 21 and 24B);

Designating a 2<sup>nd</sup> buffer sub-area as a working buffer (one of the swapping memory of Fig. 21 and 24B);

Storing graphic data (overlay data) in the working buffer (overlay data 2062,2064,2066,2068 stores in 1960 is buffered into one of the swapping memory of Fig. 21 and 24B);

Storing graphics data in the 3<sup>rd</sup> buffer sub-area (graphic data of 1960; Fig. 20 and page 12, lines 36-40; page 13, lines 11-15); and

Copying the graphic data from the 3<sup>rd</sup> buffer sub-area into the working buffer to obtain a complete subtitle page (page 12, lines 22-30 and page 12, lines 56-page 13, lines 1 in which the copy process (completes the drawing process) into the working buffer is done/completed just before the swapping process);

Interchanging roles of the working buffer and the display buffer (page 12, lines 54-page 13, lines 2);

Displaying the complete subtitle page (display page of the display buffer), wherein the graphic data is copied into the working buffer just before the working buffer become the display buffer (page 13, lines 28),

Wherein the complete subtitle page comprises both plurality of graphic data (see Fig. 20, el. 1960 comprises a complete page with el. 1062, as graphic data and 2062,2064,2066,208 as overlay data), and

Wherein the 1<sup>st</sup> buffer sub-area, the 2<sup>nd</sup> buffer sub-area, and the 3<sup>rd</sup> buffer sub-area are located in a graphic buffer region (see Fig. 20).

Chee does not clearly disclose storing subtitle data in the working buffer, wherein the subtitle data comprises at least one subtitle data.

Parks discloses storing subtitle data in the working buffer, wherein the subtitle data comprises at least one subtitle data (Fig. 3, Col. 5, lines 1-Col. 7, lines 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chee with the teaching of Parks so to provide a system for adding subtitles to films more quickly and less expensive, as suggested by Parks (Col. 2, lines 40-42).

Claim 21, wherein the 3<sup>rd</sup> buffer sub-area comprises a plurality of icon buffer sub-areas (page 6, lines 31-33; FIFO pipeline 2104 page 13, lines 4-10; "background display data" stores in queue of the FIFO memory);

Claim 22, wherein the graphics data is stored in any one of the plurality of icon buffer sub-area (FIFO pipeline 2104 page 13, lines 4-10; "background display data" stores in queue of the FIFO memory);

Claim 23, wherein interchanging roles of the working buffer and the display buffer occurs at a specific time interval (reads on when the complete drawing

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process is done in the working area; i.e. 1<sup>st</sup> area of memory, the system swap memory location between the 1<sup>st</sup> and 2<sup>nd</sup> memory; see page 12, lines 57-59).

Claim 24, wherein the specific time interval is in the range of 5-10sec (see Fig. 27 with various time line; page 16, lines 55-page 17, lines 8);

Claim 25, wherein displaying the complete subtitle page comprises displaying graphics data over the subtitle data for overlapping portions of graphics data and subtitle data (see Fig. 19);

Claim 26, wherein displaying the complete subtitle page comprises displaying non-overlapping portions of graphics data and subtitle data concurrently (see Fig. 20);

Claim 28, wherein other received data to be displayed as the complete subtitle page is copied into the working buffer immediately after copying the graphics data into the working buffer (page 12, lines 55-page 13, lines 2).

Claim 29, wherein the complete subtitle page comprises a graphics layer comprising the graphic data and the subtitle data (both graphic text and video pixel data), a still data layer(graphic pixel data/background), a moving image data layer (video pixel data) and a cursor data layer (mouse) (see Fig. 3, 4 and 7; page 5, lines 55-page 6, lines 20; page 8, lines 20-55);

Claim 30, wherein the moving image data layer and the subtitle data comprise at least part of an MPEG data stream (page 12, lines 20-21);

Claim 31, wherein the graphic data comprise icon data (page 6, lines 31-33)

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Claim 32 is analyzed with respect to method claim 20.

Claim 33 is analyzed with respect to method claim 21.

Claim 34 is analyzed with respect to method claim 22.

Claim 35 is analyzed with respect to method claim 23.

Claim 36 is analyzed with respect to method claim 24.

Claim 37 is analyzed with respect to method claim 31.

Claim 38 is analyzed with respect to method claim 25.

Claim 39 is analyzed with respect to method claim 26.

Claim 41 is analyzed with respect to method claim 28.

Claim 42 is analyzed with respect to method claim 29.

Claim 43 is analyzed with respect to method claim 20 in which Chee further discloses a broadcast (fig.3, el. 18) and a reception system (el. 14) and means for broadcasting the data (see Fig. 4, el. 36 which broadcast signal el. 14 through cable 16).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (571) 272-7305. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HT:ht  
06/23/2006



HAI TRAN  
PRIMARY EXAMINER